

In the United States Court of Federal Claims

No. 13-434 C

(Filed October 18, 2013)

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U.S. HOME CORPORATION, *
BEECHWOOD AT EDISON, LLC, *
BEECHWOOD SHOPPING *
CENTER, LLC, *

Plaintiffs, *

v. *

THE UNITED STATES, *

Defendant. *

* * * * *

SCHEDULING ORDER

On October 17, 2013, plaintiffs filed a “Notice of Motion to Substitute Counsel” and attachments thereto. The court deems this notice to be plaintiffs’ motion to substitute Brian S. Wolfson for Andrew Ullrich as counsel of record in this matter. Plaintiffs’ motion, filed pursuant to RCFC 83.1(c)(4), complies with the substance, if not the form, of RCFC 83.1(c)(4)(i)(I). *See* RCFC 83.1(c)(4)(i)(I) (requiring an “affidavit of appointment”). The court therefore accepts plaintiffs’ motion to substitute counsel as an adequate response to the court’s show cause order issued October 8, 2013. The Clerk’s Office shall substitute Brian S. Wolfson for Andrew Ullrich as counsel of record for plaintiffs in this matter.

Additionally, plaintiffs’ motion contains a request that their response to defendant’s dispositive motion, which has been stricken from the docket as a defective filing, be reinstated. The court, however, believes that to maintain docket clarity plaintiffs must re-file their response brief. This filing will trigger a reply deadline for defendant consistent with this court’s rules.

Accordingly, it is hereby **ORDERED** that:

- (1) Plaintiffs' Motion to Substitute Counsel, filed October 17, 2013, is **GRANTED**;
- (2) The Clerk's Office shall **SUBSTITUTE** Brian S. Wolfson for Andrew Ullrich as counsel of record for plaintiffs in this matter;
- (3) Plaintiffs shall **FILE** their **Response** to Defendant's Motion to Dismiss Plaintiffs' Complaint on or before **October 22, 2013**, and defendant's reply deadline shall thereafter be set pursuant to the court's rules.

/s/Lynn J. Bush

LYNN J. BUSH

Judge